

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

JOHN J. DIAMONT, JR.

Defendant.

CRIMINAL NO. 05-10154-MLW

**ASSENTED TO MOTION TO EXTEND DEADLINE
FOR FILING DISCOVERY MOTIONS**

Pursuant to Federal Rule of Criminal Procedure 45(b)(1)(A), defendant John Diamont moves to extend his deadline for filing discovery motions from November 10, 2005, to November 17, 2005. The government has assented to this Motion and asks that its deadline for responding to Mr. Diamont's November 17 discovery motions be set at December 9, 2005. The parties also request that the status conference currently scheduled for November 22, 2005, be rescheduled until after these dates.

The Court previously has extended Mr. Diamont's deadline to file discovery motions from October 31, 2005, to November 10, 2005. Mr. Diamont requests the additional, brief extension in order to complete the process of conferring with counsel for the government in order to narrow the issues to be presented to the Court. Counsel for Mr. Diamont and counsel for the government have engaged in extensive communications aimed at narrowing the outstanding discovery issues. While they have reached agreement on some issues, they continue to confer in the hopes of further circumscribing their discovery disputes. Mr. Diamont requests this extension in order to allow counsel to complete this process and avoid burdening the Court with unnecessary issues.

WHEREFORE, Mr. Diamont asks the Court to (i) extend his deadline for filing any discovery motions to November 17, 2005; (ii) set the government's deadline for responding to such motions at December 9, 2005; and (iii) thereafter schedule oral argument on any discovery motions at a time convenient to the Court.

Respectfully submitted,

JOHN DIAMONT

By his attorneys,

/s/ Lauren M. Papenhausen
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November 9, 2005

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